

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/981,257

REMARKS

Claims 1-13 have been examined and have been rejected under 35 U.S.C. § 103(a).

I. Rejection under 35 U.S.C. § 103(a) over U.S. Patent No. 5,929,932 to Otsuki et al. (“Otsuki”) and U.S. Patent No. 6,480,208 to Eble et al. (“Eble”)

Claims 1 and 9-13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Otsuki and Eble.

A. Claim 1

Claim 1 comprises an accepting device and a collecting device. The accepting device accepts a designation of an area including at least two program cells on a displayed program guide, and the collecting device collects statistics on a predetermined program attribute for at least one program corresponding to at least one of said program cells included in the designated area.

An illustrative, non-limiting embodiment of the features above is shown in Fig. 7. As shown in the figure, the user designates an area 50, which includes a plurality of cells 44. Then, statistics on a predetermined program attribute for the programs corresponding to the program cells included in the designated area are collected. In the example shown in Fig. 7, the statistics regarding the number of programs (*i.e.*, seven) belonging to users favorite category are collected and displayed in the subscreen 51.

On page four of the Office Action, the Examiner acknowledges that Otsuki and Eble do not suggest the accepting device and the collecting device. Furthermore, U.S. Patent No. 6,536,041 to Knudson et al. (“Knudson”) does not suggest such features. For example, assuming arguendo that column 9, lines 43-46 and column 9, line 65, to column 10, line 5 of Knudson

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generally suggest an accepting device, it only accepts a designation of an area that includes a single program. Therefore, any alleged accepting device in Knudson does not accept an area including at least two program cells, and thus, claim 1 is patentable.

B. Claims 9-12

Since claims 9-12 depend upon claim 1, Applicants submit that such claims are patentable at least by virtue of their dependency.

C. Claim 13

Since claim 13 contains features that are analogous to the features recited in claim 1, Applicants submit that the claim is patentable for similar reasons.

III. Rejection under 35 U.S.C. § 103(a) over Otsuki, Eble, and U.S. Patent No. 6,415,437 to Ludvig et al. ("Ludvig")

Claims 2-4 have been rejected as being unpatentable over Otsuki, Eble, and Ludvig. Since such claims have been canceled without prejudice or disclaimer, the rejection of these claims is moot.

IV. Rejection under 35 U.S.C. § 103(a) over Otsuki, Eble, and Knudson

Claims 5-8 have been rejected as being unpatentable over Otsuki, Eble, and Knudson. Since claims 5 and 6 have been canceled without prejudice or disclaimer, the rejection of these claims is moot. Also, since claims 7 and 8 depend upon claim 1, Applicants submit that the claims are patentable at least by virtue of their dependency.

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V. Newly added claims

Applicants have added new claims 14-21. Since claim 14 contains features that are similar to the features discussed above in conjunction with claim 1, Applicants submit that claim 14 is patentable. Also, claim 15 comprises a display that simultaneously displays first and second program cells in a program guide and that displays first and second visual indications that respectively indicate that the first program cell is assigned to a first priority and that the second program cell is assigned to a second priority. Since none of the references suggest at least these features, Applicants submit that claim 15 (and dependent claims 16-21) are patentable.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: May 5, 2005